

J137-3456

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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E. Mishan & Sons, Inc.,	:	Civil Action No.
	:	18-CV-02932(VSB)(SN)
Plaintiff,	:	
v.	:	
	:	
Novel Brands LLC,	:	
	:	
Defendant.	:	
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REQUEST FOR STATUS CONFERENCE

Plaintiff, E. Mishan & Sons, Inc. (“Emson”), respectfully requests the Court schedule a status conference pursuant to Fed. R. Civ. P. 16(a).

Factual Background

1. On August 29, 2018, the Court referred this matter to Magistrate Judge Sarah Netburn for an Inquest after default/damages hearing. Dkt. 22.
2. On February 13, 2020, Magistrate Judge Netburn issued her Report and Recommendation recommending that Plaintiff be awarded \$387,409.08 in defendants profits, \$7,672.77 in costs, and \$59,195.47 in attorney’s fees (for a total of \$454,277.32). Dkt. 60.
3. On March 6, 2020, defendant filed its objections to the Report and Recommendation. Dkt 63.
4. On March 20, 2020, plaintiff filed its response to defendant’s objections. Dkt. 64.
5. The objections have been fully briefed for almost 19 months.
6. The above motion does not appear on the most recent Report Of Motions Pending Over Six Months table issued by the Administrative Office of the United States Courts on March 31, 2021 for this Court (CJRA Table 8) (relevant excerpt attached as Exhibit A).

CONCLUSION

In view of the fact that this case does not appear on the report of pending motions noted above, and yet no ruling has issued, Emson respectfully requests the Court schedule a status conference pursuant to Fed. R. Civ. P. 16(a) to determine the disposition and remaining schedule of this action.

October 6, 2021

Respectfully submitted,

s/ Alan Federbush

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